

STATE OF WASHINGTON



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of)	
)	Order No. D04-230
Catholic Foreign Mission)	
Society of America, Inc.)	Consent Order
)	Imposing a Fine
An Entity Holding a)	
Certificate of Exemption)	
)	

Facts:

1. The Catholic Foreign Mission Society of America, Inc. ("CFMSAI") or "the Society" holds a certificate of exemption pursuant to RCW 48.38.101. This certificate, which was issued to CFMSAI on July 7, 2004, authorizes CFMSAI to issue charitable gift annuities subject to the provisions of Chapter 48.38 RCW.
2. From 1979 to July 7, 2004, CFMSAI issued 39 charitable gift annuities without a certificate of exemption issued by the Office of the Insurance Commissioner ("OIC") of the State of Washington.

Conclusion of Law:

1. Issuance of these 39 charitable gift annuities while not holding a certificate of exemption from the OIC constituted 39 violations of RCW 48.05.030(1), which provides that "No person shall act as an insurer... other than as authorized by a certificate of authority issued to it by the Commissioner and then in force except as to such transactions as are expressly otherwise provided for in Title 48 RCW." Among those Catholic Foreign Mission Society of America, Inc. transactions is the issuance of charitable gift certificates in this state by an entity holding a certificate of exemption from the OIC.

Consent to Order:

1. The Catholic Foreign Mission Society of America, Inc. consents to the entry of this order, waives further administrative or judicial proceedings in this matter, and acknowledges its duty to comply fully with the applicable laws and regulations of the State of Washington. The Commissioner has offered a settlement in lieu of suspending or revoking the Catholic Foreign Mission Society of America, Inc.'s certificate of authority.
2. By agreement of the parties, the OIC will impose a fine of \$5425 (five thousand four hundred twenty-five dollars and no/100) and will not impose other penalties, on condition that the Catholic Foreign Mission Society of America, Inc. pay the fine in full within thirty days from the date of entry of this order.
3. Failure to pay the fine in full and within thirty days of the entry of this order or to fulfill the stated condition will constitute grounds for the suspension or revocation of the certificate of exemption held by the Society. It will also result in a civil action brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

CATHOLIC FOREIGN MISSION SOCIETY OF AMERICA, INC.

Printed Name _____

Printed Corporate Title _____

Order:

Pursuant to RCW 48.38.050 2), the Insurance Commissioner imposes a fine upon the Catholic Foreign Mission Society of America, Inc. in the amount of \$5435 (five thousand four hundred twenty-five dollars and no/100). The Society must pay the fine within thirty days of the entry of this order. Failure to pay the fine timely and in full will constitute grounds for the suspension or revocation of the certificate of exemption held by the Society in the State of Washington. It will also result in a civil action brought by the Attorney General on behalf of the Insurance Commissioner to collect the fine.

ENTERED AT TUMWATER, WASHINGTON, this ____ day of _____, 2004.

MIKE KREIDLER
Insurance Commissioner

By _____
William Kirby
Legal Affairs Division